

Wetlands Bureau Decision Report

Decisions Taken
02/04/2013 to 02/10/2013

*Review by
WLR
2/11/13*

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 30 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to George "Chip" Kimball, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2004-00377 MOTORSPORTS HOLDINGS LLC, JOHN GHIRINGHELLI
TAMWORTH Unnamed Wetland

Conservation Commission/Staff Comments:

The Tamworth Conservation Commission intervened on the application and has submitted several letters and emails outlining concerns about the proposed project. See file for specific details.

Inspection Date: 11/14/2003 by Craig D Rennie

Inspection Date: 05/04/2004 by Craig D Rennie

APPROVE TIME EXTENSION:

Dredge and fill 14,759 square feet of palustrine forested/scrub shrub/emergent wetlands and impact 16,952 square feet (1,510 linear feet) of intermittent streams to construct a motorsports country club that includes a 3.1 mile long European-style road course with associated support services for repair, servicing and garaging of vehicles, as well as a hotel/restaurant with associated access road and parking on 251 acres of land. Mitigate impacts by restoring 450 square feet (25 linear feet) of an on-site intermittent stream/wetland through the removal an existing logging road crossing, and by placing a conservation easement on 107 acres of undeveloped land in Sandwich, NH (within the Bearcamp River watershed) that is comprised of 53 acres of wetlands/streams and 54 acres of uplands.

With Conditions:

1. All work shall be in accordance with revised plans by ESS Group, Inc. dated July 9, 2004, as received by the Department on July 26, 2004.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
4. This permit is contingent on approval by the DES Site Specific Program.
5. This permit is contingent on the receipt of an approved 401 Water Quality Certificate, as issued by the DES Watershed Management Bureau.
6. The applicant shall notify in writing NHDES Wetlands Bureau and the Tamworth Conservation Commission of their intention to start construction no less than five (5) business days prior to the commencement of construction.
7. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
8. The Wetlands Bureau shall be notified of any change in ownership or legal authority so that the wetlands permit can be transferred to the appropriate responsible party.
9. Construction shall be inspected by a qualified wetland scientist, erosion control specialist, or professional engineer to ensure that appropriate protective measures are properly implemented, including those outlined in the plans and documents supporting this permit application and the conditions of this authorization.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
11. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
12. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
13. All in-stream work shall be conducted during low flow conditions and in a manner so as to minimize turbidity.
14. Construction equipment shall not be located within surface waters.
15. The applicant shall notify NHDES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in

sediment entering a wetland or surface water.

16. Proper headwalls shall be constructed within seven days of culvert installation.
17. Stone aprons shall be installed at culvert outlets to prevent scouring.
18. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
19. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
20. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
21. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
22. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

MITIGATION CONDITIONS:

Restoration

23. This permit is contingent upon the restoration of 450 square feet (25 linear feet) of an on-site intermittent stream/wetland through the removal an existing logging road crossing, in accordance with revised plans received July 26, 2004.
24. The schedule for restoring the area shall coincide with site construction unless otherwise considered and authorized by the Wetlands Bureau.
25. Restoration areas shall be properly constructed, planted, monitored and remedial actions taken when necessary to properly restore the intermittent stream. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydrologic regime.
26. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the restoration areas are constructed in accordance with the mitigation plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
27. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the mitigation area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of each mitigation site.
28. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.
29. A post-construction report documenting the status of the restoration area shall be submitted to the Wetlands Bureau within six (6) weeks of the completion of construction.

Preservation:

30. This permit is contingent upon the execution of a conservation easement on 107 acres of undeveloped land as depicted on plans received June 29, 2004.
31. Any modifications to the existing preservation proposal shall be submitted to the Wetlands Bureau for review and approval.
32. The conservation easements to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.
33. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.
34. The conservation easement area shall be surveyed by a licensed surveyor, and marked by permanent monuments, signs or stakes prior to construction.
35. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.

36. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. Wetlands -

1. The owner, authorized agent or applicant certifies that this permit qualifies for a permit extension in accordance with RSA 482-A:3, XIV-a, and Env-Wt 502.01.
2. This permit has been extended in accordance with RSA 482-A:3, XIV-a and Env-Wt 502.01.
3. Previous time extension was granted by DES on 03/23/09 for a 4 year extension to expire on July 29, 2013.
4. The present time extension provides 1 additional year where by the permit is valid until July 29, 2014. Provides a total of 5 years beyond the original expiration date.

2012-02276

TOWN OF LEMPSTER

LEMPSTER Cold River

Requested Action:

Dredge and fill 775 square feet of the Cold River to replace the 20-foot x 22-foot Keyes Hollow Road with a 26-foot x 28-foot x 8-foot precast concrete bridge.

APPROVE PERMIT:

Dredge and fill 775 square feet of the Cold River to replace the 20-foot x 22-foot Keyes Hollow Road with a 26-foot x 28-foot x 8-foot precast concrete bridge.

With Conditions:

1. All work shall be in accordance with plans by Right Angle Engineering, PLLC dated June 18, 2012, and revised through 8-18-12, and 12-3-12, as received by the Department on August 23, 2012 and December 24, 2012.
2. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. There shall be no excavation or operation of construction equipment in flowing water.
7. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
9. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
10. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
11. Temporary cofferdams shall be entirely removed immediately following construction.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to construction.
14. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each

operator shall be trained in its use.

15. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

16. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction and areas cleared of vegetation to be revegetated with native like species within three days of the completion of this project.

17. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

18. The applicant shall notify the DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.

19. A post-construction report including photographs documenting the status of the completed construction shall be submitted to the DES Wetlands Bureau within thirty (30) days of the completion of construction.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(p), Any project that includes a new or replacement stream crossing which meets the criteria for a tier 3 stream crossing as specified in Env-Wt 904.04(a).

2. The submitted Natural Heritage Bureau (NHB) report stated, "We currently have no recorded occurrences for sensitive species near this project area."

3. The engineer prepared stream crossing design states the proposed bridge span has a capacity well in excess of the 100-year frequency rainfall event.

4. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

6. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.

7. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.

2012-02878

GRANLIDEN COMMUNITY ASSOC

SUNAPEE Sunapee Lake

Requested Action:

Replenish 4332 sq. ft. of existing community beach with no more than 82 cubic yards of sand on frontage on Lake Sunapee, in Sunapee.

Conservation Commission/Staff Comments:

No comments from Con Com by Dec 05, 2012

APPROVE PERMIT:

Replenish 4332 sq. ft. of existing community beach with no more than 82 cubic yards of sand on frontage on Lake Sunapee, in Sunapee.

With Conditions:

1. All work shall be in accordance with plans by David Little dated December 2012, as received by the NH Department of Environmental Services (DES) on January 28, 2013.

2. No more than 82 cu. yds. of sand may be used and all sand shall be located above the normal high water line.

3. This permit shall be used only once, and does not allow for annual beach replenishment.

4. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.

5. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for

obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(o), replenishment of a beach which exceeds the criteria for minimum and minor impact beach projects.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

2012-02946 PICK POINT LODGES
TUFTONBORO Lake Winnepesaukee

Requested Action:

The Applicant requests reconsideration of the Department's December 10, 2013 decision to deny a permit to modify a boathouse on the merits of a revised proposal.

Conservation Commission/Staff Comments:

11/7/12 Con. Com. has no objections.

APPROVE RECONSIDERATION:

Reconsider and approve the request to: Permanently remove a 4 ft. x 36 ft. seasonal pier and a 4 ft. x 27.5 ft. walkway, relocate an existing boatlift to an adjacent boat slip, excavate 207 sq. ft. of bank to construct a dug-in basin, and impact an additional 1,312 sq. ft. to add a 12 ft. x 23 ft. section to the landward side of an existing 35 ft. 4 in. x 44 ft. 6 in. boathouse over public waters on an average of 1,830 feet of shoreline frontage along lake Winnepesaukee, in Wolfeboro.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design dated September 10, 2012, as received by the NH Department of Environmental Services (DES) on November 05, 2012, North Country CAD dated August 23, 2012 and plans labeled Amendment dated January 07, 2013, received on January 08, 2013.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. The owner shall file a restrictive covenant in the appropriate registry of deeds limiting the use of the boathouse to the storage of boats and boating-related accessories. A copy of the recorded covenant permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
4. The seasonal dock and walkway shall be permanently removed and the boat lift re-located prior to the start of the boathouse modifications.
5. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
6. The boathouse addition shall be a single-story structure.
7. Dewatering of work areas and excavated materials shall be discharged to sediment basins located in uplands and lined with hay bales or other acceptable sediment trapping liner.
8. All dredged and excavated material and construction related debris shall be placed outside of the areas under the jurisdiction of the DES Wetlands Bureau.
9. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
10. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface

waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

12. This facility is permitted with the condition that future maintenance dredging, if needed, shall not be permitted more frequently than once every 6 years, and that a new permit shall be required for each dredge activity.

13. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 3 feet, more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.

14. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(d), modification of a major docking facility.
2. The applicant has an average of 1,830 feet of frontage along Lake Winnepesaukee.
3. A maximum of 25 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
4. The existing docking facilities, in combination with the proposed modifications, will provide 25 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
5. The proposed modifications reduce both the number of slips provided on the frontage and the square feet of docking structure over public submerged lands as required pursuant to Rule Env-Wt 402.21, Modification of Existing Structures.
6. The proposed boathouse addition will be located entirely within the land of the Applicant and not over public submerged lands.

-Send to Governor and Executive Council-

MINOR IMPACT PROJECT

2012-02184 PSNH
HILLSBOROUGH Contoocook River

Requested Action:

Confirm Emergency Authorization issued on August 14, 2012, to dredge and fill 835 square feet of wetlands to repair the penstock and stabilize and replace compromised cradles and footings.

APPROVE AFTER THE FACT:

Confirm Emergency Authorization issued on August 14, 2012, to dredge and fill 835 square feet of wetlands to repair the penstock and stabilize and replace compromised cradles and footings.

With Conditions:

1. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the sediments deposited in the river do not obstruct flows during low flow conditions or otherwise negatively impact the river. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The DES Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
2. The qualified professional shall conduct a follow-up inspection during low flow conditions between July 01 and September 30, 2013. Remedial actions shall be scheduled if necessary. A report outlining these follow-up remedial measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Inspections, reports and remedial actions shall be undertaken in at least the second and third years following the incident.
3. Based on the review of the inspection/monitoring reports DES will determine if additional approvals or permits are necessary to complete remedial work and will outline required information and plans.

4. River restoration shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create a healthy riverine system that is replicated in a manner satisfactory to the DES Wetlands Bureau. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing stream sinuosity, changing the slope of the stream, and changing the hydrologic regime.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(l), Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks.
2. The project was necessary to repair the failed penstock.
3. Emergency authorization for this work was issued by DES Wetlands Bureau Staff on August 14, 2012.
4. Review of the application submitted pursuant to the emergency authorization indicates that work has been completed in accordance with the emergency authorization.
5. The flows released by penstock eroded upland soils and gravel, which deposited in the North Branch Contoocook River.
6. The submitted application indicates that the "...flow and the function of the river seems consistent and unimpeded..." by the deposited sediment.
7. This approval is contingent on monitoring and remedial actions, if necessary, to ensure that the sediments deposited in the river do not obstruct flows during low flow conditions or otherwise negatively impact the river.

2012-02317 MOJALAKI COUNTRY CLUB LLC
FRANKLIN Unnamed Wetland

Requested Action:

Proposal to dredge and fill 2,334 square feet of emergent wetlands (pond bank/edge) and 188 linear feet of intermittent stream to expand an existing irrigation pond by 17,579 square feet. Proposed work includes dredging and grading for the new pond area and construction of a new inlet and outlet control structure.

APPROVE PERMIT:

Dredge and fill 1349 square feet of emergent wetlands and bank (pond bank/edge) to expand an existing irrigation pond by 9,957 square feet.

With Conditions:

1. All work shall be in accordance with plans by SEC, revision date of December 12, 2012, as received by the NH Department of Environmental Services (DES) on December 24, 2012.
2. Work shall be done during low flow.
3. The completed pond shall not be drawn down below elevation 486 for irrigation except for maintenance of the irrigation pumps, intakes or associated pond structures.
4. A staff gauge shall be installed to monitor the required pond elevation.
5. A qualified professional shall monitor the project during construction to assure it is constructed in accordance with the approved plans and narratives and to assure no water quality violations occur.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. There shall be no excavation or operation of construction equipment in flowing water.
9. A post-construction report documenting the status project area with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a

minimum of 20 feet of undisturbed vegetated buffer.

11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Proper headwalls shall be constructed within seven days of culvert installation.
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
15. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
16. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
17. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(e) Construction of a pond with less than 20,000 square feet of impact in a wetland or surface waters, which does not meet the criteria of Env-Wt 303.04(p).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has reduced the project impacts by removing the proposal outside of the adjacent intermittent stream.
6. The Upper Merrimack River Local Advisory Committee (UMRLAC) submitted a comment letter (dated October 16, 2012) to the applicant's agent.
7. The agent responded to the UMRLAC comments in the response letter (dated December 19, 2012) to the department's more information request letter issued on October 22, 2012.
8. The UMRLAC sent an additional comment letter indicating they had reviewed the response but did not see a response to the requirement of a dam.
9. The revised design removes the project from the adjacent stream and no dam is proposed.

2012-02872 BROWER JR, LAUREL/WILLIAM
WOLFEBORO Lake Winnepesaukee

Requested Action:

Replace an existing 10 ft. x 37 ft. pier with a full crib with a 10 ft. x 36 ft. 6 in. pier, and add 3 tie off piles and a 14 ft. x 35 ft. seasonal canopy on an average of 322 feet of shoreline frontage along Lake Winnepesaukee, in Wolfeboro.

Conservation Commission/Staff Comments:

No comments from Con Com by Nov 29, 2012

12/4/12 Letter rec'd from Con. Com. dated 11/21/12. Con. Com reports that the proposal is not an "in-kind" replacement but rather construction of an entirely new dock.

APPROVE PERMIT:

Replace an existing 10 ft. x 37 ft. pier with a full crib with a 10 ft. x 36 ft. 6 in. pier, and add 3 tie off piles and a 14 ft. x 35 ft. seasonal canopy on an average of 322 feet of shoreline frontage along Lake Winnepesaukee, in Wolfeboro.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction revision dated January 24, 2013, as received by the NH Department of Environmental Services (DES) on January 25, 2013.

2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The repairs shall maintain the size, location and configuration of the pre-existing structures except as noted on the approved plans.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. Canopies shall be of seasonal construction type with a flexible fabric cover. The seasonal support frame shall be designed to be removed for the non-boating season. The flexible fabric cover shall be removed during all seasons of non-use.
10. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), modification of a docking system that exceeds the criteria for a minimum impact docking structure.
2. The applicant has an average of 322 feet of shoreline frontage along Lake Winnepesaukee.
3. A maximum of 5 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
4. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

2012-02920 JOAN D BOOMSMA & KATHARINE H WALLACE 2010 TR
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Remove an existing 4 ft. x 40 ft. seasonal pier, an 8 ft. x 9 ft. deck, and a 3 ft. 6 in. x 11 ft. stairway and restore the affected bank. Install two 6 ft. x 40 ft. seasonal piers connected by a 6 ft. x 12 ft. walkway in a "U" configuration, install two seasonal personal watercraft lifts, a seasonal boatlift, and a 14 ft. x 30 ft. seasonal canopy. Impact 640 sq. ft. along 25 linear ft. of shoreline in order to expand and stabilize an existing beach area resulting on final dimensions of 18 ft. x 38 ft. on property having an average of 163 ft of shoreline frontage along Lake Winnepesaukee.

Conservation Commission/Staff Comments:

11/13/12 Con. Com. would like agent to clarify how he proposes to deal with the rocks as the dock site has a steep bank with rocks at the base.

APPROVE PERMIT:

Remove an existing 4 ft. x 40 ft. seasonal pier, an 8 ft. x 9 ft. deck, and a 3 ft. 6 in. x 11 ft. stairway and restore the affected bank. Install two 6 ft. x 40 ft. seasonal piers connected by a 6 ft. x 12 ft. walkway in a "U" configuration, install two seasonal personal watercraft lifts, a seasonal boatlift, and a 14 ft. x 30 ft. seasonal canopy. Impact 640 sq. ft. along 25 linear ft. of shoreline in order to expand and stabilize an existing beach area resulting on final dimensions of 18 ft. x 38 ft. on property having an average of 163 ft of shoreline frontage along Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction as revised January 10, 2013, as received by the NH Department of Environmental Services (DES) on January 14, 2013.

2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. These shall be the only docking structures on this water frontage and all portions of the docking structures shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
4. All seasonal structures shall be removed from the lake for the non-boating season.
5. No portion of the piers shall extend more than 40 feet from the shoreline at full lake elevation.
6. All dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
7. Stone placed to stabilize the beach perimeter and retain sand shall be placed above and/or landward of the normal high water line (Elevation 504.32). Those rocks currently existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
8. No more than 10 cu. yd. of sand may be used and all sand shall be located above the normal high water line.
9. This permit shall be used only once, and does not allow for annual beach replenishment.
10. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
11. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
12. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
13. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction of a 3 slip docking facility.
2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
3. The applicant has an average of 163 feet of shoreline frontage along Lake Winnepesaukee.
4. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
5. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
6. The proposed perched beach will replace a pre-existing sloped beach having side slopes steeper than 25%. The perched beach construction will result in a more stable shoreline.

2012-03058 KALVELAGE, ALISON/STEVEN
DURHAM Atlantic Ocean

Requested Action:

Impact a total of 4,486 square feet in the developed upland tidal buffer zone for the replacement of a sewage disposal system.

APPROVE PERMIT:

Impact a total of 4,486 square feet in the developed upland tidal buffer zone for the replacement of a sewage disposal system.

With Conditions:

1. All work shall be in accordance with plans by Faretra Septic Design, LLC dated 11/19/2012, as received by the NH Department of Environmental Services (DES) on 11/21/2012.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and

mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

7. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
8. Faulty equipment shall be repaired prior to entering jurisdictional areas.
9. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
10. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(b), projects that involve work within 50 feet of a saltmarsh that do not meet the criteria of Env-Wt 303.02.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The existing sewage disposal system is substandard and needs to be replaced.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The location of the new sewage disposal system is the only suitable area of the lot.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. NH Natural Heritage Bureau ("NHB") has record of a species of concern in the project vicinity, but NHB does not expect impacts to the species by the project.
5. The Durham Conservation Commission did not submit comments to DES.

2012-03109 MOZDEN-WEINER, ELIZABETH
NEW LONDON Pleasant Lake

Requested Action:

Dredge 15 cubic yards from 135 sq. feet of previously dredged lakebed on Pleasant Lake, New London.

Conservation Commission/Staff Comments:

Con Com signed Wet application

APPROVE PERMIT:

Dredge 15 cubic yards from 135 sq. feet of previously dredged lakebed on Pleasant Lake, New London.

With Conditions:

1. All work shall be in accordance with plans as received by the NH Department of Environmental Services (DES) on January 28, 2013.
2. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. Work shall be done during drawdown.
6. Work shall be done during low flow.
7. Work shall be done during the months of October or November.
8. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(g), removal of no more than 20 cubic yards of material from public waters.
2. The Department has previously permitted dredge in this area 4 times in the past.

2012-03308

HERLITZ REVOCABLE TRUST 2008

SUTTON Blaisdell Lake

Requested Action:

Amend permit to remove condition number 3 and allow work in the water as requested in the original submittal.

Conservation Commission/Staff Comments:

2/4/13 No historic properties affected.

APPROVE AMENDMENT:

Repair 40 linear feet of retaining wall with no change in location or configuration on Blaisdell Lake, Sutton.

With Conditions:

Amend Conditions to read:

1. All work shall be in accordance with plans by RCS Designs dated November 1, 2012, as received by the NH Department of Environmental Services (DES) on December 26, 2012.
2. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
3. Repair shall maintain existing size, location and configuration.
4. Retaining wall shall be constructed landward of the shoreline defined by the elevation of normal high water so as not to create land in public water.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(j), repair or replacement of existing retaining walls that requires work in the water and results in no change in height, length, location, or configuration.

MINIMUM IMPACT PROJECT

2011-02972

KEYSER, KEVIN

MOULTONBOROUGH

Requested Action:

Proposal to retain 22 sq. ft. of wet-meadow wetlands impact for ten fence posts.

WITHDRAW APPLICATION:

Withdraw proposal to retain 22 sq. ft. of wet-meadow wetlands impact for ten fence posts.

With Findings:

1. On January 24, 2013, the department received a letter from the applicant's agent requesting withdrawal of the pending application to retain 22 square feet of impact within wet meadow wetlands for construction of a horse corral.
2. The department has processed the request and no further permitting action will be taken on the applications/file.
3. The wetland impacts shall be restored in accordance with the Restoration Plan Approval issued by the department on January 15, 2013.
4. Any proposed or future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

2012-01130 RICHLOR REALTY TRUST
HAMPTON Unnamed Stream Unnamed Wetland

Requested Action:

Temporarily impact 110 square feet within the previously disturbed 100-foot tidal buffer zone for the removal of a portion of pavement and construction of a parabolic paved swale to improve stormwater flow.

APPROVE PERMIT:

Temporarily impact 110 square feet within the previously disturbed 100-foot tidal buffer zone for the removal of a portion of pavement and construction of a parabolic paved swale to improve stormwater flow.

With Conditions:

1. All work shall be in accordance with plans by Ross Engineering revised through October 25, 2012, as received by the NH Department of Environmental Services (DES) on December 17, 2012.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require further permitting by the Bureau.
3. DES Southeast Region staff (Portsmouth office) shall be notified in writing prior to commencement of work and upon its completion.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

With Findings:

1. On July 19, 2011, DES received a complaint from the Hampton Conservation Commission ("HCC") on the property at 52 Nudd Ave., more specifically referenced as Hampton Tax Map 274 Lot 137 (the "Property") alleging the owner had paved a portion of the Property and diverted water onto the neighbor's property.
2. DES personnel inspected the property on August 3, 2011. During the inspection DES confirmed that an area had been paved within the previously developed 100-foot tidal buffer zone. Following the inspection DES requested that the owner submit a wetlands permit application to retain the paved area.
3. DES received the requested wetlands permit application on May 10, 2012 (the "Application").
4. On May 30, 2012 DES received a request from the HCC to intervene on the application pursuant to RSA 482-A:11, III.
5. On June 19, 2012, DES requested more information to clarify the application.
6. DES received a letter from the Town of Hampton Public Works stating, "We are in support of the plans that have been prepared and submitted to date."
7. DES received a letter of opposition from the Hampton Conservation Commission ("HCC") dated July 2, 2012. In summary, the HCC letter stated the following: 1. The expansion of the driveway caused serious flooding on to the abutting property of 50 Nudd Ave; Does not agree with the design as proposed and requests restoration of previous grades and swale; Does not support the usage

of roof gutters on the dwelling and finds that the gutters are point source pollution; And, recommends the removal of a concrete pad and shed from the property.

8. In accordance with RSA 482-A, XIV.(a)(3), DES approve the applicants extension request to address the concerns raised by the HCC and to go before the Hampton Planning Board.

9. On September 25, 2012, DES received a response from the applicant addressing the concerns raised by the HCC.

10. This is a minimum impact project per Administrative Rule Env-Wt 303.04(b) Projects in previously-developed upland areas within 100 feet of the highest observable tide line

unless they are major or minor as defined in Env-Wt 303.02 or Env-Wt 303.03, respectively.

11. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

12. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

13. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

14. The applicant requested a waiver of Env-Wt 304.04(a) as the applicant did not receive written concurrence from the abutter.

15. DES hereby grants the waiver of Env-Wt 304.04(a) in accordance with Env-Wt 204.04(a) as granting the request will not result in an adverse effect to the environment or natural resources of the state, public health, or public safety; or an impact on abutting property that is more significant than that which would result from complying with the rule. Furthermore, granting the request is consistent with the intent and purpose of the rule being waived. Strict compliance with the rule will provide no benefit to the public and will cause an economic hardship to the applicant.

16. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.

FORESTRY NOTIFICATION

2013-00114 **MOORE, DARLENE/WALTER**
CANAAN Unnamed Stream

COMPLETE NOTIFICATION:
Canaan, Tax Map #7, Lot #86

2013-00259 **FITZWILLIAM GREEN LLC**
FITZWILLIAM Unnamed Stream

COMPLETE NOTIFICATION:
Fitzwilliam, Tax Map #15, Lot #53, Unit #3

2013-00261 **BURGESS, DON**
STODDARD Unnamed Stream

COMPLETE NOTIFICATION:
Stoddard, Tax Map #423, Lot #10, 11

2013-00341 **KING, NOEL**
RUMNEY Unnamed Stream

COMPLETE NOTIFICATION:

Rumney, Tax Map #3, Lot #1, Unit #1

2013-00352 **FOOTE FAMILY TRUST**
CANTERBURY Unnamed Stream

COMPLETE NOTIFICATION:

Canterbury, Tax Map #210, Lot #003

2013-00381 **ALT, JAMES**
TAMWORTH Unnamed Stream

COMPLETE NOTIFICATION:

Tamworth, Tax Map #414, Lot #53

2013-00384 **BAYROOT LLC**
DUMMER Unnamed Stream

COMPLETE NOTIFICATION:

Dummer, Tax Map #R1, Lot #2

2013-00386 **RUGGLES MINING CO INC**
GRAFTON Unnamed Stream

COMPLETE NOTIFICATION:

Grafton, Tax Map #5, Lot #803, 805, 806

2013-00387 **HERTEL, CONSTANCE**
MIDDLETON Unnamed Stream

COMPLETE NOTIFICATION:

Middleton, Tax Map #18, Lot #8

2013-00422 **STONE MOUNTAIN LLC**
WINCHESTER Unnamed Stream

COMPLETE NOTIFICATION:

Winchester, Tax Map #6, Lot #2

2013-00425 **PIRES, CELESTINO**
LITTLETON Unnamed Stream

COMPLETE NOTIFICATION:

Littleton, Tax Map #33, Lot #7

2013-00426 COURSER, MATTHEW
WARNER Unnamed Stream

COMPLETE NOTIFICATION:
Warner, Tax Map #13, Lot #1

EXPEDITED MINIMUM

2007-01663 DJP REALTY TRUST
LOUDON Unnamed Wetland

Requested Action:
Request permit time extension.

APPROVE TIME EXTENSION:

Approve request to dredge and fill 1880 square feet of wetlands for access in the first phase of a multiphase subdivision consisting of three single family residential lots and a remainder parcel further described as follows: Permanently impact 1580 square feet of wetlands for installation of a 46-foot x 4-foot x 4-foot embedded box culvert and temporarily impact 300 square feet for construction envelope.

With Conditions:

1. All work shall be in accordance with plans by g.r. spaulding design consultants, LLC plan sheet OP-1, revision dated September 2007, plan sheet WP-1 revision dated December 2007, plans by FWS Land Surveying P.L.L.C., plans dated December 13, 2007, as received by DES on December 17, 2007.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback on the three lots associated with this phase of the lot development.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. This permit shall not be effective until it has been recorded with the Merrimack County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
6. Work shall be done during low flow or no flow.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting

and pinning on slopes steeper than 3:1.

13. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

14. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

15. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

16. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid.

Faulty equipment shall be repaired immediately.

17. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

With Findings:

1. The owner, authorized agent or applicant certifies that this permit qualifies for a permit extension in accordance with RSA 482-A:3, XIV-a, and Env-Wt 502.01.

2. This permit has been extended in accordance with RSA 482-A:3, XIV-a and Env-Wt 502.01.

2012-02831

MANCHESTER HOUSING & REDEVELOPMENT AUTHORITY

MANCHESTER Unnamed Stream

Requested Action:

Dredge and fill 140 sq. ft. of swamp wetlands for access to a proposed commercial building. The project also includes onsite storm water treatment before discharging to adjacent wetlands.

Conservation Commission/Staff Comments:

1. The Conservation Commission signed the expedited application waiving their right to intervene.

APPROVE PERMIT:

Dredge and fill 140 sq. ft. of swamp wetlands for access to a proposed commercial building. The project also includes onsite storm water treatment before discharging to adjacent wetlands.

With Conditions:

1. All work shall be in accordance with plans by Long Beach Development Associates revision date of February 1, 2013, as received by the NH Department of Environmental Services (DES) on February 4, 2013.

2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

3. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.

4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

5. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

6. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

7. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

8. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater

Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

9. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

10. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.

11. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

12. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The project includes onsite storm water treatment before discharging to adjacent wetlands.
6. The applicant provided abutter and landowner permissions.

2012-02922 PORTSMOUTH, CITY OF
PORTSMOUTH Piscataqua River

Requested Action:

Impact a total of 250 square feet in the developed upland tidal buffer zone for exterior facade improvements, landscaping, and hardscaping improvements to an existing building.

APPROVE PERMIT:

Impact a total of 250 square feet in the developed upland tidal buffer zone for exterior facade improvements, landscaping, and hardscaping improvements to an existing building.

With Conditions:

1. All work shall be in accordance with plans by City of Portsmouth Department of Public Works dated 10/5/2012 and by TMS Architects dated 9/28/12, as received by the NH Department of Environmental Services (DES) on January 9, 2012.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
7. Faulty equipment shall be repaired prior to entering jurisdictional areas.
8. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
9. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04((b) Projects in previously-developed upland areas within 100 feet of the highest observable tide line unless they are major or minor as defined in Env-Wt 303.02 or Env-Wt 303.03, respectively.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The applicant has demonstrated the need for improvements to the exterior of an existing building.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The applicant has demonstrated that there will be no change in impervious area from existing conditions and will be providing additional plantings over current conditions.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b)(d) Requirements for Application Evaluation, has been considered in the design of the project. The NH Natural Heritage Bureau ("NHB") has record of a sensitive specie present within the vicinity of the project area, but NHB does not expect impacts to this specie from the project.
5. The Portsmouth Conservation Commission signed the expedited application and has no objection to permitting the proposed work.

2013-00258
GILFORD

MEADOWBROOK FARM LLC

Requested Action:

Dredge and fill 580 sq. ft. of wetlands and associated intermittent drainage to install a new road culvert crossing for secondary access to the Meadowbrook U.S. Cellular Pavilion performing center and restore 215 sq. ft. of adjacent wetlands by removing an old crossing and restoring the associated wetland/drainage area. Work includes installation of a 24 in. x 43 ft. CPP culvert and associated filling and road construction and removal of the existing 12 in. x 21 ft. culvert, fill and restoring the associated wetland/drainage area.

Conservation Commission/Staff Comments:

1. The Conservation Commission signed the application waiving their right to intervene.

APPROVE PERMIT:

Dredge and fill 580 sq. ft. of wetlands and associated intermittent drainage to install a new road culvert crossing for secondary access to the Meadowbrook U.S. Cellular Pavilion performing center and restore 215 sq. ft. of adjacent wetlands by removing an old crossing and restoring the associated wetland/drainage area. Work includes installation of a 24 in. x 43 ft. CPP culvert and associated filling and road construction and removal of the existing 12 in. x 21 ft. culvert, fill and restoring the associated wetland/drainage area.

With Conditions:

1. All work shall be in accordance with plans by Steven J. Smith Associates, Inc., dated November 29, 2012, as received by the NH Department of Environmental Services (DES) on January 18, 2013.
2. This permit is contingent on approval by the DES Alteration of Terrain Bureau.
3. Work shall be done during low or no flow.
4. The final surface of the stream channel bed (new culvert and restoration area) shall be restored at natural grade using natural round stone or existing streambed/wetland materials and shall not include angular rip-rap.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.

7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
10. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
11. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
13. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
14. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
15. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(ah) Any project that includes any new stream crossing which qualifies as minimum impact under Env-Wt 903.01(e).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

GOLD DREDGE

2013-00385 GOFORTH, BRENT
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

2013-00400 JONES, JOSEPH
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

2013-00401 LIESENDAHL, GARY
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

2013-00402 HETRICK, DAVID
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

2013-00403 DIXON JR, ARNOLD
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

2013-00404 DIXON, DIANA
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

2013-00423 WILDER, BRYAN
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

TRAILS NOTIFICATION

2013-00275 KEVIN DOHERTY REVOCABLE TRUST
BEDFORD Unnamed Stream

COMPLETE NOTIFICATION:
Trail Notification, Tax Map/Lot 29/10

PERMIT BY NOTIFICATION

2013-00320 HANNAFORD BROTHERS CO
NASHUA Nashua River

Requested Action:

Reconstructing existing outfall structure including 1 section of 36" RCP pipe & the masonry back headwall. 350 sq. ft. impact area on embankment.

PBN IS COMPLETE:

Reconstructing existing outfall structure including 1 section of 36" RCP pipe & the masonry back headwall. 350 sq. ft. impact area on embankment.

